

ORIGINAL

**FILED**  
DISTRICT COURT OF GUAM

FEB 15 2007

MARY L.M. MORAN  
CLERK OF COURT

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF GUAM**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEVE KIM,

Defendant.

CRIMINAL CASE NO. 04-00047

**GOVERNMENT'S MOTION TO  
FILE SENTENCING MEMORANDUM  
UNDER SEAL**

COMES NOW the United States of America, by and through undersigned counsel, and moves this Honorable Court for an Order allowing it to file its sentencing memorandum under seal. The government makes this motion because the sentencing memorandum explains in detail the reasons that it is seeking a substantial assistance downward departure for defendant. It believes the nature of the information has the potential of resulting in retaliation against the defendant.

RESPECTFULLY SUBMITTED this 14th day of February 2007.

LEONARDO M. RAPADAS  
United States Attorney  
Districts of Guam and NMI

By: Fredrick A. Black  
FREDERICK A. BLACK  
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